IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 5032 of 2006
Date of decision : 22.9.2006.

Dakshin Haryana Bijli Vitran Nigam Ltd. & Anr.

.....Petitioners.

Versus

Jagdish Chander.

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Ajay Bhardwaj, Advocate
for the petitioners.

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VINOD K. SHARMA,J.(ORAL)

By way of present revision petition, the challenge is to the order passed by the learned Courts below allowing the application moved under Order 39 Rules 1 & 2 C.P.C. seeking direction to the petitioner to provide the electric connection to the respondent-herein as he has fulfilled all the terms & conditions and has also taken all other necessary steps.

It is not in dispute that the respondent had applied for grant of a new connection in pursuance to the purchase of the property and complied with all terms & conditions envisaged by the petitioners herein for grant of electric connection. The only reason for refusal to grant injunction was that certain amount was due from the previous owner and in absence of deposit of said amount the respondent was not entitled to get the new electric connection.

It is not in dispute that no steps have been taken by the petitioners to seek recovery from the previous owner, nor there is any law which imposes a condition on the applicant for new connection to clear the

dues of previous consumer of electricity. Therefore, no fault can be found with the exercise of jurisdiction by the learned Courts below which may call for interference by this Court in exercise of revisional jurisdiction.

Dismissed.

September 22,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**